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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Before the Board of Patent Appeals and Interferences

In re Patent Application of

KOIKE et al

Atty. Ref.: 461-62

Serial No. 09/546,227

Group: 1754

Filed: April 10, 2000

Examiner: E. Johnson

For: A CERAMIC SUPPORT CAPABLE OF
SUPPORTING A CATALYST...

* * * * *

September 2, 2004

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST FOR REINSTATING APPEAL

Please reinstitute the appeal in the above-identified case. In response to a final Office Action dated August 20, 2003 Applicants filed a Notice of Appeal on January 16, 2004 and an Appeal Brief on March 16, 2004. A decision on the filed Appeal has not been reached.


On July 21, 2004, a Request for Continued Examination was filed in this case in order to submit an Information Disclosure Statement. The RCE was filed during the pendency of the appeal in this case. On August 25, 2004 Applicants received from the U.S. Patent Office a final Office Action from the Examiner in which the references submitted in the Information Disclosure Statement, filed on July 21, 2004, were considered by the Examiner. In addition, the Examiner again finally rejected all of the claims that were finally rejected in the final Office Action previously issued on August 20, 2003. In the new final Office Action the Examiner has additionally rejected claims 74 and 75 which were merely objected to in the prior final Office Action. However this does not affect in any way the appeal which was previously taken in consideration of the final rejection of independent claim 73 from which claims 74 and 75 depend.

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Accordingly, Applicants respectfully request that their appeal filed on January 16, 2004 (with Appeal Brief filed on March 16, 2004) be reinstated.

Respectfully Submitted
NIXON & VANDERHYE PC

By: _____


Chris Comuntzis
Reg. No. 31,097

CC:lmr
1100 North Glebe Road, 8th Floor
Arlington, VA 22201-4714
Telephone: (703) 816-4000
Facsimile: (703) 816-4100